

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
  
OAKLAND DIVISION

8 GN RESOUND A/S, a corporation,  
9 Plaintiff,  
10 vs.  
11 CALLPOD, INC., a corporation,  
12 Defendant.

Case No: C 11-04673 SBA  
**ORDER**  
Docket 17, 19.

14 On September 20, 2011, Plaintiff GN Resound A/S (“GN Resound”) brought this  
15 patent infringement action against Callpod, Inc. (“Callpod”). Dkt. 1. Callpod’s answer was  
16 due on November 30, 2011. Dkt. 10. On December 2, 2011, GN Resound filed a motion  
17 for entry of default. Dkt. 11. Default was entered as to Callpod by the court clerk on  
18 December 5, 2011. Dkt. 14. On that same day, Callpod filed a motion to dismiss and a  
19 motion to set aside default. See Dkt. 17, 19. On December 19, 2011, GN Resound filed an  
20 amended complaint<sup>1</sup> and a statement of non-opposition to Callpod’s motion to set aside  
21 default. See Dkt. 22, 24.

22 | Accordingly, IT IS HEREBY ORDERED THAT:

23           1. Callpod's motion to set aside default is GRANTED.  
24           2. Callpod's motion to dismiss is DENIED as MOOT.  
25           3. The hearing scheduled for April 3, 2012 is VACATED.

<sup>27</sup> Under Rule 15 of the Federal Rules of Civil Procedure, a party may amend its  
<sup>28</sup> pleading once without leave of court if it is filed within 21 days after service of a Rule  
12(b) motion. Fed.R.Civ.P. 15(a).

1       4. The Case Management Conference scheduled for April 3, 2012 is  
2 CONTINUED to **May 3, 2012 at 2:45 p.m.** Prior to the date scheduled for the conference,  
3 the parties shall meet and confer and prepare a joint Case Management Conference  
4 Statement. Plaintiff is responsible for filing the joint statement no less than seven (7) days  
5 prior to the conference date. The joint statement shall comply with the Standing Order for  
6 All Judges of the Northern District of California and the Standing Orders of this Court.  
7 Plaintiff is responsible for setting up the conference call, and on the specified date and time,  
8 shall call (510) 637-3559 with all parties on the line.

5. This Order terminates Docket 17 and Docket 19.

**10** IT IS SO ORDERED.

11 | Dated: 3/28/12

Saundra B. Armstrong  
SAUNDRA BROWN ARMSTRONG  
United States District Judge